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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

The United States of America, through its counsels of record, Lawrence G. Brown, Acting United States Attorney for the Eastern District of California, and William S. Wong, Assistant United States Attorney, and defendant Alejandro Mathew Fragoso, through his counsel, Jeffrey L. Staniels, Assistant Federal Defender, stipulate and agree to the following revised briefing schedule and hearing regarding the defendant's pending petition to vacate sentence pursuant to 28 U.S.C. § 2255 currently set for February 23, 2009, at 8:30 a.m.:

1. Government's response shall be filed no later than March 16, 2009;
2. Defendant's reply, if any, shall be filed no later than March 23, 2009; and

3. Hearing on the motion set for March 30, 2009,
at 8:30 a.m.

Counsel for the government needs additional time to research and prepare its response. Accordingly, the parties stipulate to the revised law and motion schedule.

Respectfully submitted,

LAWRENCE G. BROWN
Acting United States Attorney

DATED: February 10, 2009

By: /s/ William S. Wong
WILLIAM S. WONG
Assistant U.S. Attorney

DATED: February 10, 2009

By: /s/ Jeffrey L. Staniels
JEFFREY L. STANIELS
Attorney for Defendant

ORDER

For the reasons set forth above, the revised law and motion schedule is adopted.

DATED: February 13, 2009

William B. Shubb
WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE